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No. 681

IN THE

SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 1965

JAMES A. ROBINSON, DECEASED, BY BESSIE L. TALLAFERRO ROBINSON, MYRRH E. MARTIN SNELL, THELMA M. ROBINSON VANCE, RAY M. ROBINSON, JOHN S. ROBINSON, CLARA L. MILLER ROBINSON, GRACE BROWN, MACK R. BROWN, EDWARD R. TALLAFERRO, LUCIAN R. TALLAFERRO, CHARLES S. ROBINSON, ORVILLE L. ROGERS, BESSIE BIZER AND ARCHIE V. ANDERSON, FOR THEMSELVES AND THEIR HEIRS,
Plaintiffs,

vs.

THE UNITED STATES OF AMERICA,
Defendant.

SUPPLEMENT TO THE PETITION FOR A WRIT OF CERTIORARI TO THE UNITED STATES COURT OF CLAIMS.

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Plaintiffs,

vs.

THE UNITED STATES OF AMERICA,
Defendant.

SUPPLEMENT TO THE PETITION FOR A WRIT OF CERTIORARI TO THE UNITED STATES COURT OF CLAIMS.

The above named Petitioners, by their counsel of record, pray that this Supplement to the Petition for a Writ of Certiorari become a part of the record, to correct the errors contained in and supplement the Petition for a Writ of Certiorari, filed October 20, 1965. The Petitioners had

no knowledge of these errors until they received copies of the Petition after it was filed.

JURISDICTION.

The Jurisdiction of this Court is invoked under 28 U.S.C., Section 1255 (1). Further, under the jurisdictional authority of the Constitution of the United States, Article (3), Judicial Department, Section (2), Article (1), Bill of Rights of the Constitution of the United States and the Decree of the United States Supreme Court, in Cherokee Nation and the United States, Appellants v. Moses Whitemire, Trustee for the Freedmen of the Cherokee Nation 59 L. Ed. 370; 223-108, decided January 29, 1912. Quotation of the U.S. Supreme Court, "Those who were entitled to be enrolled could again establish their rights." End of quotation.

CONCLUSIONS REACHED BY THE UNITED STATES COURT OF CLAIMS.

I.

The Court of Claims concluded, (1) quote, "To the extent that plaintiffs' claim is based on the Indian Claims Commission Act, the claim accrued long prior to the Act of August 13, 1946, and this Court has no jurisdiction of the claim under that Act," end of quote.

The Court of Claims failed to consider that the above entitled action is based upon and derives its origin from the violation by the *Successors* to the Dawes Commission, of the provisions set out in Section Nine of the Ratified Treaty of July 19, 1866 between the United States of America and the Cherokee Nation. Also the *Successors*

to the Dawes Commission, including the Department of Indian Affairs disregarded and misconstrued the Decrees of the U.S. Supreme Court and the U.S. Court of Claims.

The Plaintiffs, their heirs or ancestors were citizens of the Cherokee Nation by the provisions in Section Nine of the above mentioned treaty, by 14 Stat. 799 and the 30 Court of Claims 138-180, (21 Kapp. 942). These Plaintiffs, their heirs or ancestors were allotted lands under authority of the Order of the 30 Court of Claims 138-180, by the duly authorized Dawes Commission, under the provisions of Section (22) of the Act of July 1, 1902, (32 Stat. 716) and Land Certificates identifying such allottees by name, roll number and legal descriptions, approved by the proper allotting Officer of the Dawes Commission, which is also known as the Commission to the Five Civilized Tribes.

Thereafter, the Plaintiffs in possession of their lands, designated by legal description were forcefully dispossessed of said lands, over a period of years, by the Successors to the Dawes Commission and the Department of Indian Affairs, without any compensation having been paid therefor.

There is no Constitutional Authority to dispossess a citizen, Indian or Freedman of property or rights acquired under the authority of a ratified treaty; United States Supreme Court decisions 175-I, in Jones vs. Mehan and Choate vs. Trapp, 224, 665. Also the Sixth Article of the U.S. Constitution, which binds all judges in regards to rights acquired under treaty authority of the U.S. Constitution, which became the Supreme Law of the

land. Article (3), Judicial Department, Section (2), quote "Federal Court in general, the judicial powers *shall* extend to *all cases* in law and equity arising under this Constitution. The laws of the United States and *Treaties* made under their authority," end of quote. Also Article (1), Bill of Rights, which prohibits Congress from making any law, that would abridge or prohibit the freedom of speech, or of the press or the rights of the people peaceably to assemble and to *petition* the *Government* for a redress of *grievances.* (Emphasis provided)

II.

The Court of Claims concluded, (2), quote, "to the extent that Plaintiffs' petition asserts a claim under the Act of October 1, 1890 (26 Stat. 636), the claim is barred by the statute of limitations," end of quote.

In reply to the conclusion of law reached by the Court in the preceding paragraph, the Act of October 1, 1890 was authorized by Congress to make a complete roll of Cherokee Freedmen, thereby making them legal residents of the Cherokee Nation, within the meaning of Section Nine of the Treaty of July 19, 1866, (25 Stat. 608, 25 Stat. 994). The authority provided for in said Act of October 1, 1890 resulted in the preparation of a completion of the Roll known as the Kerns-Clifton Roll, which was completed in the year of 1896 and pursuant to the establishment of the Kerns-Clifton Roll, Congress conferred jurisdiction upon the Court of Claims to hear and determine the just rights in both law and equity of the Cherokee Freedmen. There were *no land* distribution orders existing at said time and the only question at the

time heretofore mentioned in (1890) was the equal distribution in money shares arising from grazing leases and other taxes collected by the Cherokee Nation. Pursuant thereto, the U.S. Court of Claims in the case of the Cherokee Freedmen vs. the Cherokee Nation and the United States (30 Ct. of Claims 138) rendered a decision as of February 3, 1896; In said case the Court required the Secretary of the Interior to distribute the common property of the Cherokee Nation to the Freedmen on an *equal basis* with the Cherokees by blood without discrimination. No lapse of time to bar suit, appears in Section (2) of the Act of October 1, 1890 (26 Stat. 636).

III.

The Court of Claims concluded, (3) quote, "To the extent that the petition asserts claims based upon Plaintiffs' alleged rights to share in the judgment rendered by the Indian Claims Commission in *Cherokee Nation v. United States*, Docket No. 173, 9 Ind. Cl. Comm. 455 (1961), the Court lacks original jurisdiction to hear and to determine such claims," end of quote.

The Court misinterpreted the assertation made in the petition, because the Plaintiffs desire to emphasize, they possessed *no land* or *rights to land* now being adjudicated under 173-A, which consists of the Osage Nation area in Oklahoma. The legal descriptions of some of the Plaintiffs' land will verify this fact as it is set out in the Petition.

IV.

The Court of Claims concluded, (4) quote, "To the extent that the petition asserts a claim by individuals

that might be cognizable under 28 U.S.C. 1491, the claim is barred by the 6 year statute of limitations," end of quote.

Chapter 165—Court of Claims Procedure; Section 2501, amended September 3, 1954 (U.S.C. 1491), states: Every claim of which the Court of Claims has jurisdiction shall be barred unless the petition thereon is filed within six years after such claim *first accrues.*

Some of the Plaintiffs herein were notified that they had been rejected and dispossessed of their land on March 2, 1906. The Plaintiffs subsequently instituted the case of Moses Whitmire, Trustee, etc., vs. The United States and the Cherokee Nation in the Court of Claims, bearing case number 17209, adjudicated on the 20th day of February 1911, which was within the 6 year Statute of Limitations as alleged by the Defendant, whereas the Court stated:

COURT OF CLAIMS.

Moses Whitmire	)	
	)	
vs.	)	No. 17209
	)	
The United States, et al.	)	

In this case the Court ordered that the following decree be entered:

It is therefore, this twentieth day of February, 1911, ordered, adjudged and decreed by the Court that the said decree of this Court passed on the third day of February, 1896, be, and the same hereby is construed to vest in all the persons whose names were placed on the roll made in

obedience to said decree, known as the Kern-Clifton Roll, and in their descendents, born after the 3d day of May, 1894, and before the 4th day of March, 1907, the right of citizenship in the Cherokee Nation, and that so many of said persons and their said descendants as were living on the 4th day of March 1907, were and are entitled to participate in the allotment of the common lands and the distribution of the common funds of said Nation in the same manner and to the same extent as Cherokee citizens of Cherokee blood or parentage may have been or may be hereafter entitled, and that in any distribution of the common lands or the common funds of said Nation among the citizens thereof by distribution per capita, the defendant, the Cherokee Nation and the defendant, the United States, as trustee of the Cherokee Nation, be enjoined and prohibited from making any discrimination between the said persons so placed on the said Kern-Clifton Roll and other Cherokee Citizens. And it appearing to the Court that the roll made by the Dawes Commission and approved by the Secretary of the Interior does not include and contain the names of the following Freedmen and Free Colored Persons of the Cherokee Nation who were living and in being on May 3, 1894, and whose names were placed on the roll of the said Nation by the Kern-Clifton Commission under the decree of this Court of February 3d, 1896, and which decree was assented to by the Cherokee Nation and accepted by said parties as true and correct:

And it further appearing that the Secretary of the Interior has not permitted and is not permitting any of the

said Freedmen and Free Colored Persons above set out to participate with the other citizens of the Cherokee Nation in the distribution of its common property.

It is therefore ordered, adjudged, and decreed that the Secretary of the Interior be, and he hereby is, enjoined and directed to place upon the roll of citizens of the Cherokee Nation, authorized and directed by the Acts of June 28, 1898; July 1, 1902; April 26, 1906; the names of as many of the said Freedmen and Free Colored Persons and the names of as many of their descendants, born after the 3d day of May, 1894 and before the 4th day of March, 1907 as may have been living on the 3d day of March, 1907.

It is further ordered, adjudged and decree that the Secretary of the Interior be, and he hereby is, enjoined and directed to pay to each of the said persons so placed on the said final roll of citizens of the Cherokee Nation their proportionate share of any monies belonging to the said Nation that may have been, since June 28, 1898, or may hereafter be, distributed per capita, among the citizens of said Nation, and to allot to each of them their proportionate share of the lands of said Nation, and in taking said allotments each of said persons shall have the same rights, immunities and privileges in the matter of homestead selections and in all other respects as has been or is provided by law for other citizens of said Nation.

By the Court.

FILED FEBRUARY 20, 1911.

DISPOSITION ERRORS MADE BY THE COURT OF CLAIMS.

Under the Court of Claims' Rule 71 (d), whenever a certified transcript of the record is requested by either party for the purpose of filing a petition for a Writ of Certiorari, the clerk shall prepare and certify the following documents: Commissioners' Report, Findings of Fact, Conclusions of Law and Judgment and Opinion of the Court. The transcript that was paid for by the Plaintiffs and sent to their attorney-of-record contained none of these documents.

The U.S. Court of Claims disregarded and violated its own rules, revised April 1, 1964, in the following:

1. Section (d) of Rule 4, "Entitled Action by the Court", paragraph (d), Section (2), quote, "Commissioners' recommendations for conclusion of law on dispositive motions (Rule 55 (b) and Commissioners' reports, (Rule 58) will be acted upon only with the *concurrence* of at *least three judges*". The Order mailed by the clerk of the Court of Claims contained the *typewritten* name of only one judge.
2. The said Courts' Order was not certified by the Chief Clerk as is required by the rules of said Court.
3. The Order of said Court did not bear the Official Seal of the U.S. Court of Claims.
4. Upon the filing of the Commissioners' recommendation, the CLERK SHALL MAIL A NOTICE OF THE FILING AND 5 COPIES of the recommendation to each party, as provided by Rule 7. The Attorney-of-Record for Plaintiffs received *NO* copies of the Commissioners' recommendation. He received only ONE UN-SIGNED CARBON COPY OF THE DISMISSAL ORDER.

DOCUMENTS.

V.

The Plaintiffs desire to present to the Court to aid in clarifying and correcting the record the following documents:

1. Nine Land Certificates issued by the Dawes Commission.

2. U.S. Court of Claims Decree No. 17209, containing the names and roll numbers of the following Plaintiffs, their heirs or ancestors:

Robinson, William	3013
Robinson, Nicey	3014
Robinson, Eva	3015
Robinson, Jim	3016
Robinson, Jeanette	3017
Robinson, Charles	3018
Robinson, Amanda	3019
Robinson, John	3020
Robinson, Olive	3021
Robinson, Josie	3022
Brown, Josie, nee Adair	3436

3. Rejected Roll, R 624, showing the Robinson Plaintiffs.

VI.

CONCLUSION.

These Plaintiffs' names or their heirs or their ancestors appear on all of the authorized roll including the Authenticated Cherokee Roll of 1880, except the final roll of 1907, where their roll numbers appear but their names have been omitted by the Successors to the Dawes Commission. On pages 492 and 493 of said Cherokee Freedmen Final Roll Approved March 4, 1907.

We believe that the questions presented are so substantial as to require plenary consideration, with briefs on the merits and oral argument.

Respectfully submitted,

RICHARD L. GUNN,
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Attorney for Petitioners.

(Documents in Envelope on back cover)

COURT OF CLAIMS OF THE UNITED STATES.

LOCKE WHITMIRE, TRUSTEE, ETC., vs. THE UNITED STATES AND THE CHEROKEE NATION.
No. 17209.

I, ARCHIBALD HOPKINS, Chief Clerk of the Court of Claims, do hereby certify that the annexed pages, numbered from One to Fourteen inclusive, are a true copy of the DECREE of said Court of February 20, 1911, in the above-entitled cause.

IN TESTIMONY WHEREOF I have hereunto set my hand and affixed the Seal of said Court at Washington, D. C., this sixth day of May, A. D. 1911.

Archibald Hopkins
Chief Clerk.

COURT OF CLAIMS.

Moses Whitmire }
vs. } No. 17,209.
The United States et al }

In this case the Court ordered that the following decree be entered:

It is therefore, this twentieth day of February, 1911, ordered, adjudged and decreed by the Court that the said decree of this Court passed on the third day of February, 1896, be, and the same hereby is, construed to vest in all the persons whose names were placed on the roll made in obedience to said decree, known as the Kern-Clifton Roll, and in their descendants, born after the 3d day of May, 1894, and before the 4th day of March, 1907, the right of citizenship in the Cherokee Nation, and that so many of said persons and their said descendants as were living on the 4th day of March, 1907, were and are entitled to participate in the allotment of the common lands and the distribution of the common funds of said Nation in the same manner and to the same extent as Cherokee citizens of Cherokee blood or parentage may have been or may be hereafter entitled, and that in any distribution of the common lands or the common funds of said Nation among the citizens thereof by distribution per capita, the defendant, the Cherokee Nation and the defendant, the United States, as trustee of the Cherokee Nation, be enjoined and prohibited from any discrimination between the said persons so placed on said Kern-Clifton Roll and other Cherokee citizens. And it appearing to the Court that the roll made by the Dawes Commission and approved by the Secretary of the Interior does not include and contain the names of the following Freedmen and Free Colored Persons of the Cherokee Nation who were living and in being on May 3, 1894, and whose names were placed on the roll of the said Nation by the Kern-Clifton Commission under the decree of this Court of February 3d, 1896, and which was assented to by the Cherokee Nation and accepted by the parties as true and correct:

Name.	Acre Clifton No.
[illegible], Carrie	3
Burgess, William	34
Anderson, Jane, nee Burgess	38
Hall, Amanda, nee Da[illegible]	54
Rowe, Louis	82
Rowe, Chaney	83
Buffington, Florence	86
Buffington, Ishmas	87
Buffington, Henrietta	88
Vann, Sank (or Sam)	124
Vann, Albert	129
Lynch, Fredonia	136
Thompson, Ellen	140
Thompson, Hamay	141
Thomas, Stella	144
Ross, Lizzie	146
Ross, Tom	150
Foster, Lavinia, alias Mary	158
Foster, Martha	162
Foster, Sue	164
French, Linda	166
Downing, Lou	182
Kirk, Emma	185
Sanders, Polly	193
Foster, Jetta	208
Goody, Louis	214
Taylor, Mary	235
Taylor, Fred	236
Taylor, Mary	239
Lasley, Geo. W	255
Lasley, Clara	259
Williams, Judy	270
Foster, Cora	276
Bean, Maud	285
Vann, Melgy	298
Martin, Ralph	313
Vann, Took	319
Frye, Viola	326
Frye, Harvey	330
Bryan, Nancy	341
Weber, Davis	348
Weber, George Henry	351
Waitmire, Dick	357
Waitmire, Walter	358
Murrell, Sarah	361
Murrell, Daisy	362
Murrell, Susan	369
Vann, Eli	373
Vann, Polly, nee Rider	374
Rider, Lena	380
Roder, Mabel	382
Rider, Frank	383
Leek, Albert	398
Bean, Evey	403
Williams, Arthur	418
Landrum, Clida	433
Landrum, Pravies	434
Landrum, Sam	439
Sutton, Sallie	441
Lampton, Eliza, nee Adair	446
Hughes, Sarah	452
Landrum, Andy	464
Landrum, Lono	465
Bean, Evey	479
Vann, James	302

Name.	Clifton No.
Lynch, Martha	507
Vann, Sarah	514
Bean, Rufus	516
Eaton, Lucy	520
Eaton, Loney	521
Johnson, Rachel	533
Dennis, Isabel	547
Dennis, Bertha	548
Dennis, Laura	549
Dennis, Amanda	550
Dennis, Clem	553
Adams, Cora	557
Adams, Grant, alias Emanuel	560
Adams, Cora, dup. of No. 557	562
Adams, Grant, dup. of No. 560	565
Adams, Jesse	566
Foreman, Lester	573
Nave, Flora	574
Gibson, Luther	575
Vann, William	577
Vann, Alice, or Sarah	578
Landrum, or Johnson, Sidney	583
Johnson, John	586
Chambers, Charles	599
Brown, Jesse	601
Brown, Lucinda	602
Brown, Lubertha	604
Brown, Oce	606
Brown, Mary	608
Grimmett, Cora	616
Grimmett, Lewis	618
Ward, William	629
Vann, Upton	634
Pack, Willie	650
Peterson, Josie, nee Waitmire	655
Moore, John	695
Nave, Rosella	701
Rogers, Dick	711
Martin, Elizabeth	716
Waitmire, Kate	723
Nave, Lucinda	735
Wright, Lucinda	745
Vann, Sam	760
Weber, Rosie	763
Ratcliffe, Eliza	788
Rider, Lucy	797
Vann, Henry	806
Vann, Lamon	814
Woodward, James	820
Markham, Willis	837
Ross, Fith	853
Vann, George	859
Rogers, Lizzie (wife of Ben Vann	860
Wright, Louis	877
Anderson, Hannah	889
Vann, Jennie	893
Anderson, Lucy	896
Rogers, Sydney	901
Webber, Dug	908
Webber, Amanda	910
Stidman, Dolly	913
Stidman, Tom or Will	915
Johnson, Mary	918
Nave, William	685

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Thornton, Nancy..... 951
Jones, May..... 964
Sheppard, Thomas..... 971
Beck, James..... 975
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Grimmett, Lillie..... 984
Nevins, John..... 990
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Ross, Ruth..... 1021
Fields, William..... 1035
Mackey, Amanda..... 1036
Austin, Louis..... 1039
Tyner, Nancy, nee Nevins, 1044
Tyner, Ed..... 1045
Tyner, Jessie..... 1046
Smith, Esther, nee Vann... 1049
Walker, Violet, now Ross.... 1054
Brewer, Andrew..... 1062
Brewer, Jannie..... 1063
Schrimsher, Maud..... 1064
Schrimsher, Mary..... 1065
Brown, John..... 1076
Walker, John..... 1089
Walker, Ada..... 1090
Lowery, Jeannett..... 1105
Smith, Tenah..... 1112
Vann, David..... 1116
Williams, Henry..... 1122
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Alberty, Ruben..... 1133
Wilson, Isaac..... 1138
Wilson, Peggie..... 1141
Davis, Abe..... 1148
Davis, Will..... 1149
Parks, Nellie..... 1170
Parks, Mack..... 1171
Nevins, Patsy..... 1180
Vann, Butler..... 1181
Vann, Derce..... 1187
Thompson, Peg, nee Vann..... 1203
Ford, Carrie, nee Brewer.. 1220
Sanders, Norah..... 1222
Sanders, Sarah..... 1223
Lee, Annie..... 1227
Nave, Henry..... 1228
Thompson, Rube..... 1237
Johnson, Aaron..... 1253
Cornish, Tom..... 1255
Thompson, Mose..... 1257
Mackaye, Crockett..... 1258
Sheppard, Wash..... 1263
Sheppard, Curtis..... 1265
Mayfield, Nellie..... 1269
Mackey, Jennie..... 1277
Bean, Mary..... 1291
Ross, Mary..... 1303
Aldrich, Dennis..... 1328
Pin, Sarah, nee Bean..... 1330
Petitt, Eben..... 1337
Humphries, Bessie..... 1342
Hudson, Emma..... 1345
Vann, Ed..... 1356
Vann, Judy..... 1357
Thompson, Esther..... 1358
Johnson, Aaron, dup. No. 1253. 1387
Johnson, Emmett..... 1388
Nave, or Watson, Dave..... 1724

Mackey, Alice..... 1392
Brown, Josephine..... 1404
Brown, Joseph..... 1409
Vann, Solomon..... 1410
Vann, Dennis..... 1411
Vann, Jeanna..... 1412
Vann, or Young, Gus..... 1424
Vann, William or Jacob.... 1425
Vann, Rachel..... 1435
Vann, Walter..... 1444
Vann, Crow..... 1447
Vann, Rose..... 1448
Landrum, Cudge or Carrie... 1456
Landrum, Clarence..... 1457
Landrum, Joe..... 1458
Coody, Lydia..... 1489
Keys, Dora..... 1490
Keys, Phoebe..... 1494
Thompson, Cora, nee Carter.. 1500
Carter, Will..... 1501
Drew, Willie..... 1523
Drew, Allie..... 1524
Drew, Gussie..... 1526
Drew, Jennie..... 1528
Smith, Ibby..... 1529
Smith, Wash..... 1530
Crossland, Abe..... 1543
Crossland, Morris..... 1549
Ford, Julia, nee Vann..... 1553
Ford, Van..... 1554
Shepard, Sue..... 1567
Foreman, Delilah..... 1578
Brown, Fannie..... 1586
Brown, Robert..... 1588
Whitmire, Turner..... 1592
Whitmire, Polly..... 1594
Whitmire, Ella..... 1595
Johnson, Frank..... 1598
Johnson, Harvey..... 1601
Drew, Henrietta..... 1616
Mackey, Kate..... 1625
Snow, Willie..... 1636
Glass, Millie or Foreman.. 1653
Laflace, Jake..... 1671
Schrimsher, Fred..... 1672
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Brewer, Frances..... 1690
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Crossland, Ella..... 1694
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Webber, Bertha, dup. No. 794.. 1713
Nave or Watson, Cora..... 1722
Nave or Watson, Jane..... 1723
Nave or Watson, Walter..... 1725
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Riley, William..... 1778
Drew, William..... 1795
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Fields, Emma..... 1809
Bongo, Meg..... 1821
Wright, Maggie..... 1826

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Beck, Alex..... 1853
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Mayes, Mary, nee Foreman... 1881
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Ross, Ellis..... 1899
Mann, Charles..... 1900
Parris, Henry..... 1911
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Ross, Laura..... 1956
Irons, Jerry..... 1966
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Johnson, Maud..... 2004
Fields, Simon..... 2006
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Ross, John..... 2013
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Johnson, Evan..... 2017
Warford, Sam..... 2032
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Warford, Jim..... 2035
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Whitmire, Matt..... 2382

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Ramsey, Maria..... 3913
Ramsey, Jimmie..... 3914
Ramsey, Bennie..... 3915
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Martin, Alling..... 3917
Martin, Ernest..... 3918
Martin, John..... 3919
Martin, George..... 3920
Martin, Fred..... 3921
Bean, Caroline..... 3923
Adams, Ben..... 3925
Lynch, Daniel..... 3927
Albert, Mattie..... 3934
Albert, Lillie..... 3935
Albert, Elijah..... 3936
Albert, Ida..... 3937
Albert, Jerry..... 3938
Albert, Henry..... 3939
McLean, Melinda..... 3940
McLean, Samuel..... 3941
McLean, Ella..... 3942
McLean, Christian..... 3943
McLean, Charley..... 3944
McLean, Paralie..... 3945
Barkum, Nancy, nee Albert..... 3946
Barkum, Annie..... 3947
Barkum, Walter..... 3948
Vann, George W..... 3949
Vann, James..... 3950
Morry, Alta..... 3951
Morry, Mary Jane..... 3952
Vann, Newton..... 3953
Vann, Mary Jane..... 3954
Hill, Cornelia..... 3955
Hill, Annie..... 3956

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Welton, Phoebe	3869	Davis, Robert	3962		
Gaskin, Walter	3872	Vann, Napoleon	3965		
Ridge, Henry	3877	Vann, Mary	3966		
Ridge, Amanda	3878	Howard, Ben	3965		
Ridge, Pearl	3880	Vann, Bennie	3967		
Ridge, Jesse	3881	Nash, Isaac	3971		
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Grimmett, Charles	3885	Harper, William	4002		
Grimmett, Sebron	3886	Harper, Jim	4003		
Grimmett, Emma	3887	Coody, Katie	4013		
Grimmett, Hannah	3888	Waite, Mary Ann	4014		
Grimmett, Fred	3889	Hazelridge, Mary	4015		
Grimmett, Flora	3890	Hazelridge, William	4016		
Gronnett, Bertha	3891	Hazelridge, Mary	4017		
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Grimmett, Pet	3893	Hazelridge, Lacey	4019		
Grimmett, Emma	3894	Hazelridge, Alex	4020		
Grimmett, Callie	3895	Hazelridge, Joe	4021		
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Blye, Abbie	3897	Gunter, Harry	4023		
Byle, Nancy	3898	Gunter, Henrietta	4024		
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Gunter, Louis	4026	Walker, Charles	4141		
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Gunter, Mitchell	4028	Bean, Bertha	4143		
Gunter, Rachel	4029	Martin, Beatie	4144		
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Holt, Bettie	4035	Martin, Sallie	4146		
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Johnson, Clarence	4038	Martin, George	4149		
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Davis, Archie	4040	Tucker, Ellenor Ella	4152		
Davis, Elizabeth	4041	Whitmire, Lucinda	4154		
Davis, Ida	4042	Foster, William	4159		
Davis, Madora	4043	Banks, Lettie	4167		
Davis, Clara	4044	Banks, Willie	4168		
Davis, Vinita	4045	Banks, Irene	4169		
Davis, Julia	4046	Ross, Jacob	4170		
Landrum, Polly	4047	Ross, Maria	4171		
Little, Aggie	4057	Ross, Ella	4172		
Little, Virginia	4058	Ross, Emma	4173		
Little, Will	4059	Ross, George	4174		
Little, Jim	4060	Ross, Rose	4175		
Little, Sam	4061	Tucker, Sarah, nee Ross	4176		
Little, John	4062	Tucker, Oscar	4177		
Little, Amanda	4063	Ross, Willie	4179		
Riley, Joseph	4065	Murrell, Nelson	4184		
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Grimmett, Edgar	4079	Murrell, John	4187		
Grimmett, Eddie	4080	Murrell, Jesse	4188		
Grimmett, Henry	4081	Murrell, Willie	4189		
Grimmett, Melissa	4082	Murrell, Nola	4190		
Grimmett, George	4083	Martin, David	4191		
Vann, Arlena	4084	Martin, Lurenna, nee Peterson	4192		
Martin, Lee	4085	Martin, Charity	4193		
Martin, Eddie	4086	Martin, Fred	4194		
Martin, Estella	4087	Martin, Mary	4195		
Martin, Ida	4088	Martin, Josie	4196		
Lynch, Mattie	4090	Martin, Will	4197		
Webber, Linda	4093	Martin, Eliza	4198		
Rogers, Nettie	4094	Vinton, Joe	4199		
Adams, Addie	4096	Mays, Cynthia	4200		
Adams, Lizzie	4097	Mays, Beatrice	4201		
Durant, Peggie	4105	Williams, Lizzie	4202		
Durant, Leroy	4106	Roach, Jess	4203		
Durant, [illegible]	4107	Patterson, Annie	4204		
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Shobe, Vid[illegible]	4109	Blackwell, Lucinda	4206		

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Alberty, Will	4113
Alberty, Sarah	4114
Alberty, Anetta	4115
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Powell, Mamie	4120
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Childers, Jay	4236
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Yann, Ibbie	4238
Adams, Mattie	4239
Sanders, John	4240
Hayes, Phillis	4241
Hayes, Louis	4242
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Cash, Will	4247
Cash, Oce	4248
Cash, John	4249
Cash, Ethel	4250
Cash, Hester	4251
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Looney, Jane	4254
Wright, Francis	4255
Looney, Henry	4256
Allen, Ellen	4257
Looney, John	4258
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Beason, Bonnie	4265
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Sanders, Cora	4268
Sanders, Berry	4269
Sanders, Rosella	4270
Sanders, Fannie	4271
Sanders, Fred	4272
Sanders, Ike	4273
Sand[illegible] Sam	4274
Pa[illegible] [illegible]te	4275
Pack, Will	4276
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Pack, Fannie	4278
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Thompson, Jess	4229
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Daniels, Willie	4429
Daniels, Louis	4430
Daniels, Tom	4431
Daniels, Susie	4432
Daniels, [illegible]	4433

Pack, Tom	4280
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Pack, Alberta	4282
Pack, Clarence	4283
Pack, Sarah	4284
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Smith, Clem	4367
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Mackey, Georgie	4374
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Duffin, Frances	4485
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Duffin, Frank	4488
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Daniels, Harry	4490
Daniels, Margaret	4491
Daniels, Ransom	4492
Daniels, Maggie	4493
Daniels, Joseph	4494
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McNair, Cynthia	4496
McNair, Mary	4497
McNair, George	4498
McNair, Willie	4499
McNair, Rosella	4500
McNair, Alfred	4501
Bell, George	4502
Bell, Judy	4503
Harris, Agnes	4504
Harris, Billy	4505
Harris, Dave	4506
Harris, Charles	4507
Harris, Silas	4508
Harris, Mamie	4509
Harris, Minnie	4510
Harris, Isaac	4511
[illegible], George	4512
[illegible], Sarah	4513

Daniels, Minnie	4452
Daniels, Burrell	4453
Daniels, Burrell Henry	4454
Daniels, Mack	4455
Daniels, Lizzie	4456
Daniels, Robert	4457
Newton, Mary	4458
Newton, Lizzie	4459
Daniels, Louis	4460
Daniels, Abraham	4461
Daniels, Tom	4462
Bell, Tom	4463
Bell, Tensie	4464
Bell, George C	4465
Bell, Viola	4466
Bell, Effie	4467
Bell, Emily Jane	4468
Brown, Loretta	4469
Bell, Nancy Ann	4470
Lewis, Georianna	4471
Lewis, Tennessee	4472
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Williams, Matty	4474
Bell, Arthur	4475
Moss, Sarah	4476
Moss, George	4477
Moss, Julia	4478
Moss, Sanford	4479
Moss, Howard	4480
Moss, Samantha	4481
Moss, Rutherford	4482
Moss, Elmira	4483
Moss, Dwight	4484
Mays, Eva	4514
Mays, Cora	4515
Mays, Jesse	4516
Mays, Homer	4517
Mays, Lurena	4518
Mays, Andrew	4519
Hill, Senia	4520
Hill, Rebecca	4521
Hill, John	4522
McPherson, Betsy	4523
Watson, Mary	4524
Watson, Lee	4525
Watson, May	4526
McLish, Lurena	4527
Tucker, John	4528
Tucker, Johnnie	4529
Tucker, Joseph	4530
Brown, Hannah	4531
Brown, Myrtle	4532
Daniels, Jim	4533
Daniels, Emaline	4534
Daniels, Nancy	4535
Sanders, Mary	4536
Vann, Sam	4537
Brown, Lula	4538
Rogers, Sam	4539
Alexander, Phillis	4540
Rogers, Jim	4541
Lewis, Alice	4542

And it further appearing that the Secretary of the Interior has not permitted and is not permitting any of the said Freedmen and Free Colored Persons above set out to participate with the other citizens of the Cherokee Nation in the distribution of its common property.

It is therefore further ordered, adjudged, and decreed that the Secretary of the Interior be, and he hereby is, enjoined and directed to place upon the roll of citizens of the Cherokee Nation, authorized and directed by the Acts of June 28, 1898, July 1 [illegible] the names of as many of the said Freedmen and Free Colored Persons and the names of as many of their descendants, born after the 3d day of May, 1894 and before the 4th day of March, 1907 as may have been living on the 3d day of March, 1907.

It is further ordered, adjudged and decreed that the Secretary of the Interior be, and he hereby is, enjoined and directed to pay to each of the said persons so placed on the said final roll of citizens of the Cherokee Nation their proportionate share of any monies belonging to the said Nation that may have been, since June 28, 1898, or may hereafter be, distributed per capita among the citizens of said Nation, and to allot to each of them their proportionate share of the lands of said Nation, and in taking said allotments each of said persons shall have the same rights, immunities and privileges in the matter of homestead selections and in all other respects as may be or is provided by law for other citizens of said Nation.

By the Court

FILED FEBRUARY 20, 1917.

DEPARTMENT OF THE INTERIOR

Commission to the Five Civilized Tribes

Roll Number

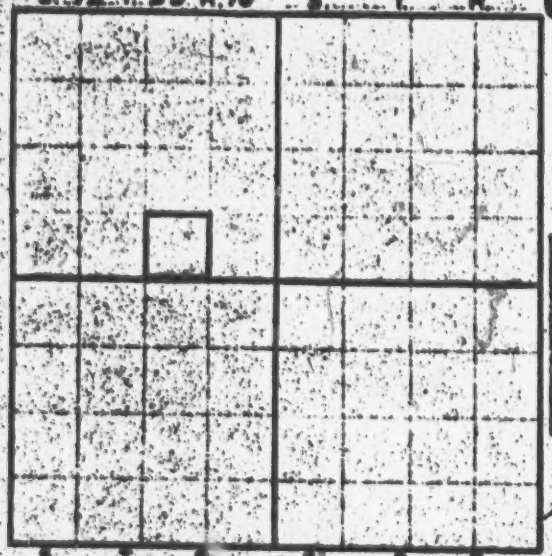
Cherokee Roll | Freedmen Roll

3144

Certificate of Allotment

Certificate No. 87759

S. 12 T. 23 N. R. 16 E. S. T. N. R. E. CHEROKEE LAND OFFICE



Tahlequah, I.T. Feby 23 1905

This certifies that Estella Martin has this day filed his selection of the following described land, viz:

SUB-DIVISION OF	SECTION	TOWN	RANGE
NW¼ of SE¼	12	23	16

containing 40 acres more or less as the case may be according to the United States survey thereof. Total appraised value of land described in this certificate $160.00

This certificate is not transferable.

Commission to the Five Civilized Tribes.

Chairman

CERTIFICATION

This is a true photographic copy with no additions, interlineations or alterations and is in keeping with original.

Date 5-12-1957

Notary Public

STANDARD BLUE PRINT COMPANY
1411 Harney St. - Omaha, Nebr.

DEPARTMENT OF THE INTERIOR
Commissioner to the five Civilized Tribes

Roll Number
Cherokee Roll | Freedmen Roll
3446

Certificate of Allotment

Certificate
No 57646

S. 28 T. 22N R. 21 E. S. T. R.

CHEROKEE LAND OFFICE

Tahlequah, I.T. Oct 21st 1905

This certifies that Cecil Martin has this day filed his selection of the following described land, viz:

SUB-DIVISION OF	SECTION	TOWN	RANGE
NE¼ of NE¼ of SE¼ of	28	22	21

containing 10 acres more or less as the same may be according to the United States survey thereof. Total appraised value of land described in this certificate $ 30

Commissioner to the five Civilized Tribes.

This certificate is not transferable.

CERTIFICATION

This is a true photographic copy with no additions, omissions, interlineations or alterations and is in keeping with original.

DATE 12 1957

Notary Public

STANDARD BLUE PRINT COMPANY
1411 Harney St. Omaha, Nebr.

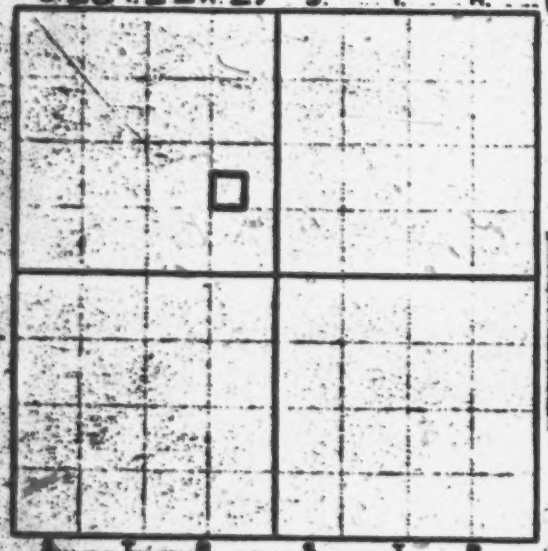
DEPARTMENT OF THE INTERIOR
Commissioner to the five Civilized Tribes.

Roll Number
Cherokee Roll | Freedmen Roll
3444

Certificate of Allotment.

Certificate
No. 57848

S. 28 T. 22 N. R. 21 E.



CHEROKEE LAND OFFICE

Tahlequah, I.T. Oct 12 1905

This certifies that Myrah E Martin has this day filed his selection of the following described land, viz:

SUB-DIVISION OF	SECTION	TOWN	RANGE
W½ of NE¼ of SE¼	28	22 N	21 E

containing 10 acres more or less as the same may be according to the United States survey thereof. Total appraised value of land described in this certificate $ 50

This certificate is not transferable.

Commissioner to the five Civilized Tribes.

CERTIFICATION

This is a true photographic copy with no additions, omissions, interlineations or alterations and is in keeping with original.

DATE 8 13 1957

Notary Public

STANDARD ELITE PRINT COMPANY

DEPARTMENT OF THE INTERIOR

Commission to the Five Civilized Tribes.

Roll Number

Cherokee Roll	Freedmen Roll
	3445

Certificate of Allotment.

Certificate No. 47847

S. 14 T. 24 N. R. 17 E. I. M.

CHEROKEE LAND OFFICE

Tahlequah, I.T. May 4th 1905

This certifies that Ora Martin

has this day filed his selection of the following described land, viz:

SUB-DIVISION OF	SECTION	TOWN	RANGE
W½ of NW¼ of	14	24	17

containing 80 acres more or less as the same may be according to the United States survey thereof. Total appraisement of land described in this Certificate $200.00

This certificate is not transferable.

Commissioner to the Five Civilized Tribes.

CERTIFICATION

This is a true photographic copy with no additions, omissions, interlineations or alterations and is in keeping with original.

Notary Public

STANDARD BLUE PRINT COMPANY

DEPARTMENT OF THE INTERIOR
Commissioner to the five Civilized Tribes.

Roll Number
Cherokee Roll | Freedmen Roll
3 of 4 of 4

Certificate of Allotment.

Certificate
No. 57645

S. 27 T. 21 N. R. 22 E. S. T. R.

CHEROKEE LAND OFFICE

Tahlequah, I.T. Oct. 24th 1905

This certifies that Estella Martin has this day filed his selection of the following described land, viz:

SUB-DIVISION OF	SECTION	TOWN	RANGE
West of NW¼ of NE¼ of	27	21	22

containing 10 acres more or less as the case may be, according to the United States survey thereof. Total appraised value of land described in this certificate $ 50

S. T. R. S. T. R.

This certificate is not transferable.

Commissioner to the five Civilized Tribes.

CERTIFICATION

This is a true photographic copy with no additions, omissions, interlineations or alterations and is in keeping with original.

DATE 8/13/95

Notary Public

STANDARD BLUE PRINT COMPANY
1411 Harney St. Omaha, Nebr.

DEPARTMENT OF THE INTERIOR

Commissioner to the Five Civilized Tribes

Roll Number

Cherokee Roll | Freedmen Roll

3444

Certificate of Allotment.

Certificate No. 37760

S. 35 T. 25 N. 17 E.

S. ___ T. ___ N. ___ E.

S. ___ T. ___ N. ___ E.

CHEROKEE LAND OFFICE

Tahlequah, I.T. Feb. 23 1905

This certifies that Estella Martin has this day filed his selection of the following described land, viz:

SUB-DIVISION OF	SECTION	TOWN	RANGE
NW¼ SE¼ NW¼	35	25	17

containing 10 acres, more or less as the case may be according to the United States survey thereof. Total appraised value of land described in this certificate $ 40

This certificate is not transferable.

Commission to the Five Civilized Tribes.

Commissioner

CERTIFICATION

This is a true photographic copy with no additions, omissions, interlineations or alterations and is in keeping with original.

DATE 1957

Notary Public

STANDARD BLUE PRINT COMPANY
1411 Harney St. Omaha, Nebr.

DEPARTMENT OF THE INTERIOR
Commission to the Five Civilized Tribes.

Roll Number
Cherokee Roll | Freedmen Roll
1 | 3444

Certificate of Homestead Allotment.

Certificate No. 26071

S. 35 T. 25 N. 17 E. S. ___ T. ___ R. ___

CHEROKEE LAND OFFICE

Tahlequah, I.T. Dec. 23 1905

This certifies that Estella Martin has this day selected the following described land as a HOMESTEAD, viz:

SUB-DIVISION OF	SECTION	TOWN	RANGE
E½ of NE¼ of NW¼ of	35	25	17

containing 30 acres more or less as the same may be according to the United States Survey thereof. Total appraised value of land described in this certificate $120

This certificate is not transferable

Commission to the five Civilized Tribes.

Chairman.

CERTIFICATION

This is a true photographic copy with no additions, commissions, interlineations or alterations and is in keeping with original.

Date 1957

Notary Public

STANDARD BLUE PRINT COMPANY
1411 Harney St. Omaha, Nebr.

RESIDENCE: Warwick Creek Dist.
P.O. OFFICE: Peneta I.T.

CHEROKEE Nation. Freedmen Roll.

CARD No. ____
FIELD No. R 6021

	NAME.	RELATIONSHIP.	AGE.	SEX.	INITIAL ENROLLMENT. TRIBE	INITIAL ENROLLMENT. DISTRICT	INITIAL ENROLLMENT. No.	SLAVE CE-	REMARKS.
1	Williams William H.		44	M	N.C.	Coo	3013	RESERVATION CERTIFICATE	N.C. page 121
2	" Millie	Wife	42	F				ISSUED FOR No. 3 Apl 2 1906	Claims by intermarriage
3	" James M.	Son	18	M	N.C.	Coo	3016		N.C. page 121
4	" Jennette	Dau	16	F	N.C.	"	3017		N.C. " 121
5	" Charles A.	Son	11	M	N.C.	"	3018	RESERVATION CERTIFICATE ISSUED FOR No. 809 March 28 1906	N.C. " 121
6	" Amanda C.	Dau	13	F	N.C.	"	3019		N.C. " 121
7	" John A.	Son	10	M	N.C.	"	3020		N.C. " 121
8	" Ollie	Dau	8	F	N.C.	"	3021		N.C. " 121
9	" William	Son	3	M	N.C.	"	3022		See note
10									
11	REFUSED as to land Stg'me.								
12	ACTION APPROVED BY SECRETARY OF INTERIOR.								
13	MAR 27 1906								
14	REFUSED as to No. 2								
15	ACTION APPROVED BY SECRETARY OF INTERIOR.								
16	APR 17 1905								
17	Wife enrolled as Millie Williams wife of Lewis Jr.								
18	See Dec Card Nos 622 R625 R622 3687 R441								
19	See Letter Dec 4 81								

REJECTED

Wm Williams page 134 No 3209 Coo Cook
Wm Rose " " Jim Robinson
Jennette " " JUN 21 1906 M.O. Sec for Rehearing filed
Charles " " Nicky of Cherokee Nation filed Mar 1906
Amanda " " JAN 7 1907 Motion and Ord Sec for Card Mail
John " " Nicky for Appt 674 James M 1901
Ollie " " FEB 13 1907 Motion and Ord Sec for Card Mail
Wm Nicky for Appt 674 James M 1901 March 15 1906

ADDITIONAL INFORMATION ON REVERSE SIDE

DEPARTMENT OF THE INTERIOR

Roll Number

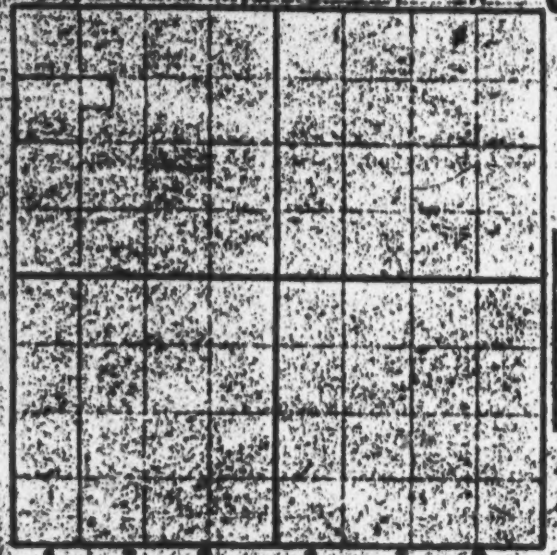
Cherokee Roll | Freedmen Roll

3446

Certificate of Homestead Allotment.

Certificate No. 81912

T. 14 N. R. 24 E. T. R.



CHEROKEE LAND OFFICE

Tahlequah, I.T. May 1 1905

This certifies that La Martin

has this day selected the following described land as HOMESTEAD, viz:

SUB-DIVISION OF	SECTION	TOWN	RANGE
SW¼ of NW¼ of SE¼ of NW¼	of 14	24	17

containing 5 0 acres, more or less as the same may be according to the United States Survey thereof. Total appraised value of land described in this certificate $ 125.00

This certificate is not transferable.

Commission to the Five Civilized Tribes.

Chairman.

CERTIFICATION

This is a true photographic copy with no additions, omissions, interlineations or alterations and is in keeping with original.

DATE 3-13-95

Notary Public

STANDARD BLUE PRINT COMPANY

DEPARTMENT OF THE INTERIOR
Commissioner to the five Civilized Tribes.

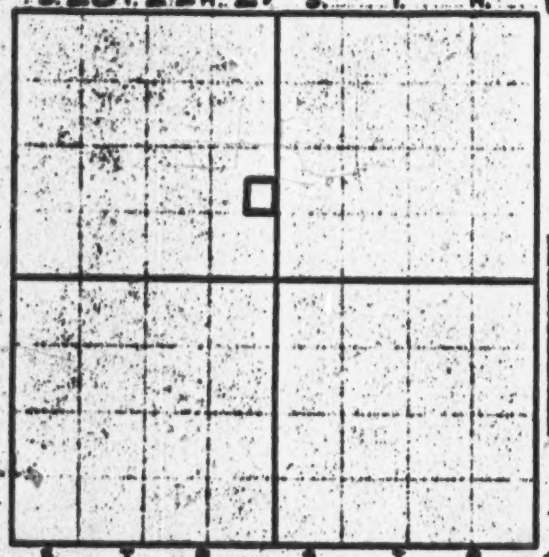
Roll Number

Cherokee Roll	Freedmen Roll
..	3447

Certificate of Allotment.

Certificate
No. 57647

S. 28 T. 22 N. R. 21 E.



S. T. N. S. T. N.

This certificate is not transferable.

CHEROKEE LAND OFFICE

Tahlequah, I.T. Oct 21st 1905

This certifies that Roy Martin has this day filed his selection of the following described land, viz:

SUB-DIVISION OF	SECTION	TOWN	RANGE
SE¼ of NE¼ of SE¼ of	28	22 N	21 E

containing 10 acres more or less as the same may be running to the United States survey thereof. Total appraised value of land described in this certificate $50.

Commissioner to the five Civilized Tribes.

CERTIFICATION

This is a true photographic copy with no additions, omissions, interlineations or alterations and is in keeping with original.

DATE 8/13/57

Notary Public

STANDARD BLUE PRINT COMPANY